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OFFICE OF THE DISTRICT ATTORNEY, KINGS COUNTY

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CHARLES J. HYNES  
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November 7, 2005

Memorandum

Hon. Edward Korman  
United States District Judge  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Room 448  
Brooklyn, New York 11201

I am docketing this letter, along with the enclosure. I suggest that the parties agree to file a supplemental brief to the record on appeal that it succeeds.

Re: David Ranta v. Floyd Bennett  
CV 97-2169 (ERK)

cert PT  
11/9/05

Dear Judge Korman:

The defendant's attorney has perfected his appeal to the United States Court of Appeals for the Second Circuit, of your May 23, 2000 Memorandum and Order, which denied the defendant's petition for a writ of habeas corpus in the above-case. My response is due in the Second Circuit on November 30, 2005. In preparing my response, I again obtained the trial and appeals files (seven boxes) in this case. Upon opening one of these boxes, I found an exhibits envelope which had been returned to our Office from the New York State Appellate Division, Second Department. Within that envelope, I found the lineup photographs that you had requested during your consideration of the defendant's petition for a writ of habeas corpus, and for which my Office's file room and I had done an extensive, but unsuccessful search at that time.

I recognize that this Court no longer has jurisdiction of this matter, however, because you had requested these photographs, I am sending you and defense counsel color copies of the photographs of both the first and second lineups in this

Case 1:97-cv-02169-ERK Document 53 Filed 11/16/05 Page 2 of 6 PageID #: 2  
Hon. Edward Korman  
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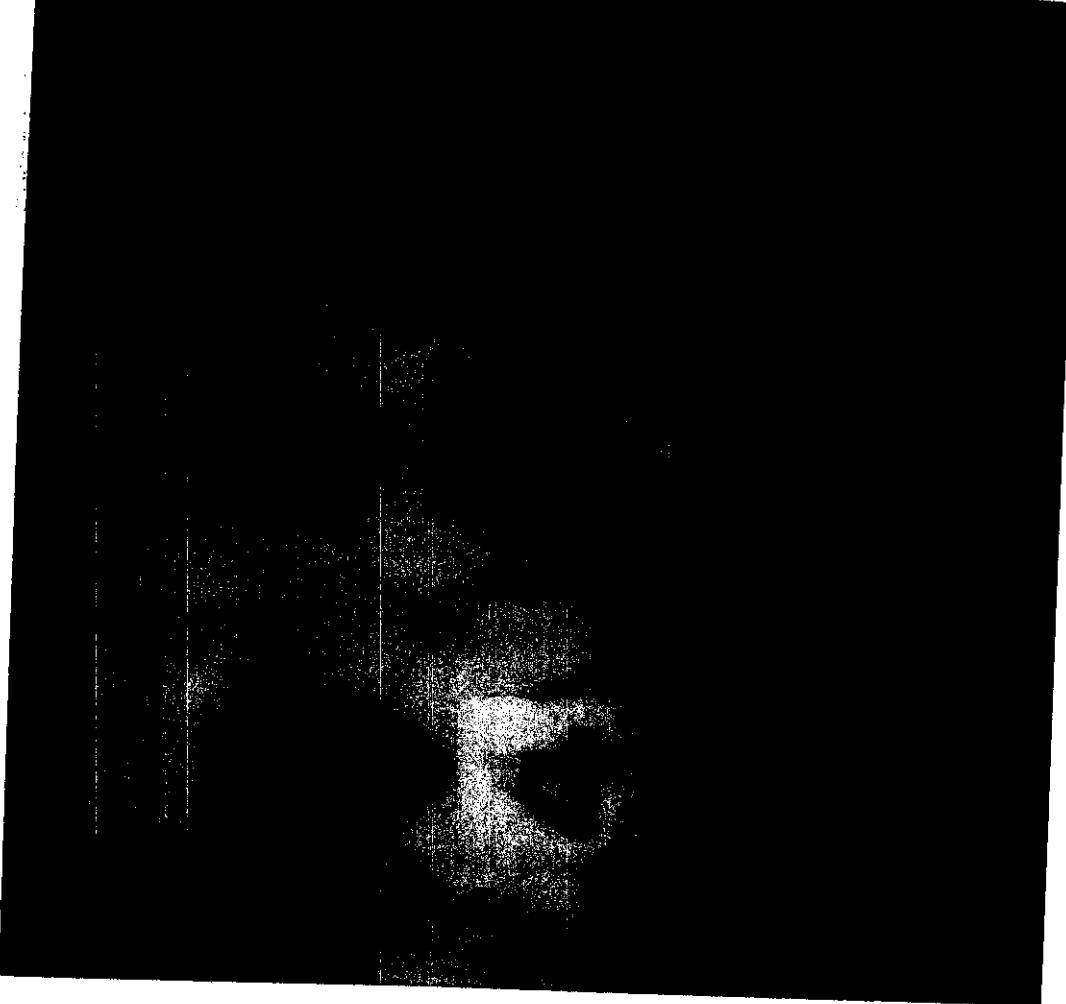
case. The photographs of lineup one were People's hearing exhibits 3 & 3A and trial exhibit 8, and the photos of lineup two were People's hearing exhibits 4 & 4A, and trial exhibit 9 in the state court. Please advise me if there is any other action I should take regarding this matter.

Sincerely,

*Anthea H. Bruffee*

Anthea H. Bruffee  
Assistant District Attorney  
718-250-2475

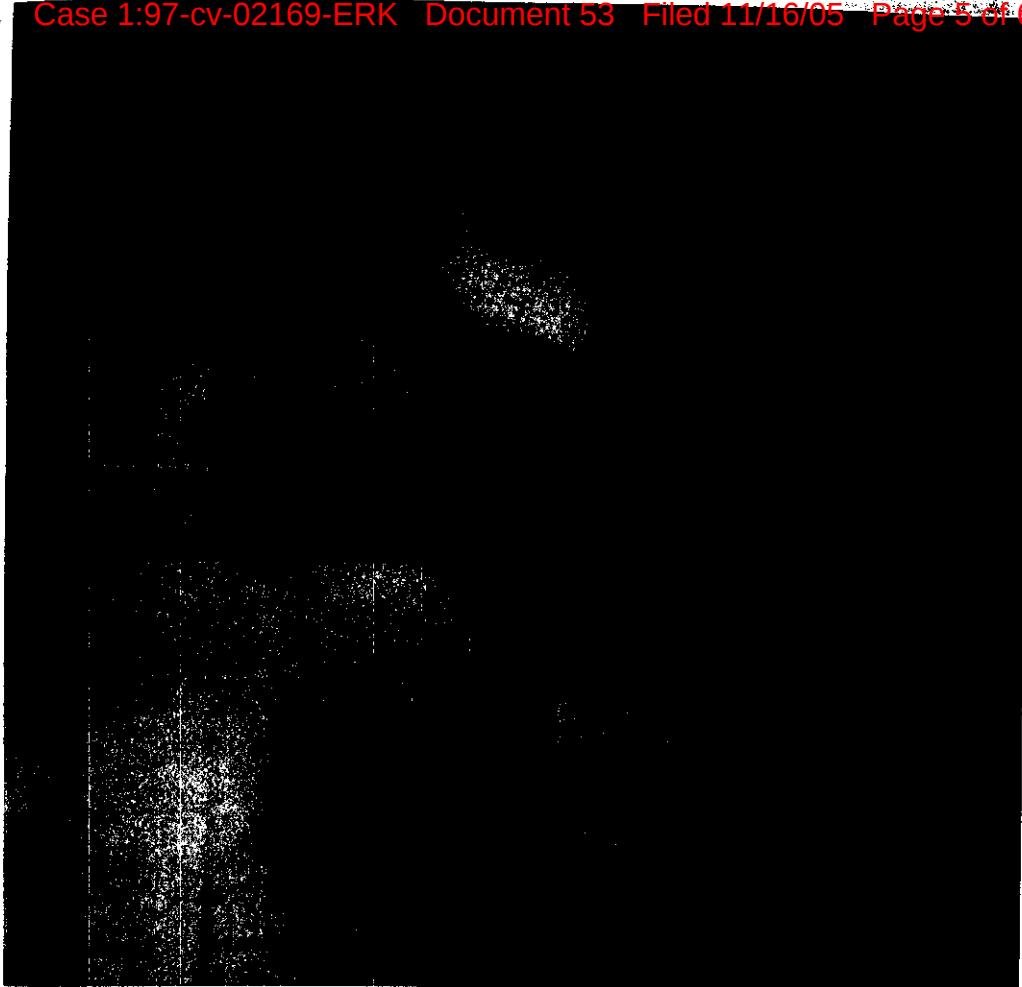
cc: David L. Lewis, Esq.  
Lewis & Fiore  
225 Broadway  
New York, N.Y. 10007



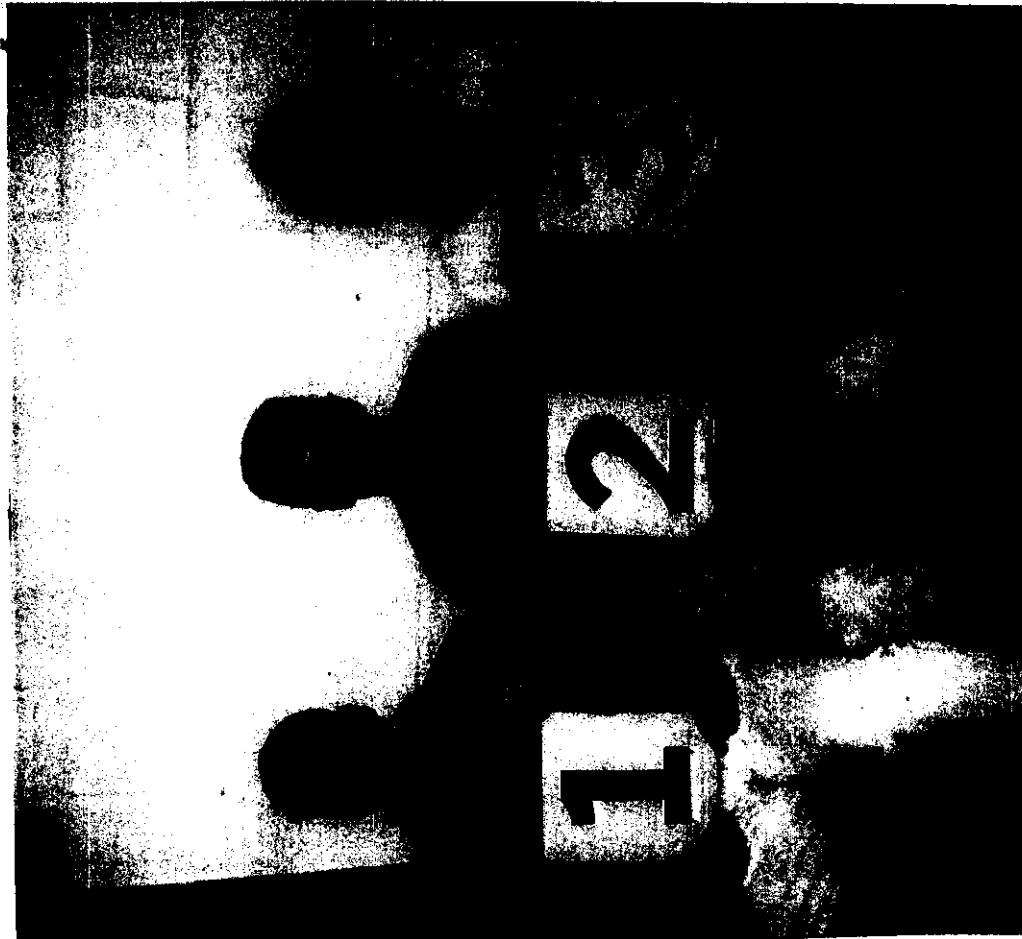
Larry #1 Hearing Exhibit 3 of 34  
5/8/91 Trial Exhibit 8



Group # 1 People's Exh. 8



6



Leneip # 2  
5/8/91

Hearing Exhibits # 2 & 4 A  
Trial Exhibit 9



Lineup # 2

People's Exh. 9